



8/21/03 #5  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Carr, et al.

Title: **METHOD AND APPARATUS FOR SEGMENTATION AND REASSEMBLY  
OF DATA PACKETS IN A COMMUNICATION SWITCH**

App. No.: 09/426,791

Filed: 10-22-1999

Examiner: Duong, Frank

Group Art Unit: 2666

Atty. Dkt. No. 1400.4100225

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CERTIFICATE OF MAILING

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Ross D. Snyder, Reg. No. 37,730  
Typed or Printed Name

  
Signature

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT**

Dear Sir:

**REMARKS**

The Office has restricted the claims of this application into Group I (Claims 1-16 and 29-44) and Group II (Claims 17-28).

Applicants elect the claims of Group I (Claims 1-16 and 29-44) and provisionally withdraw the non-elected claims of Group II. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims (Claims 1-44) does not create an undue burden on the Office and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the Office do not, by themselves, provide adequate grounds for restriction since the Office has historically allowed many

applications containing various claims (e.g., method, apparatus, and article of manufacture) in one patent application.

Applicants further disagree with the characterizations relied on by the Office to support distinctness of the groups.

In summary, Applicants have elected the claims of Group I for further prosecution and provisionally withdrawn the non-elected claims from consideration. Reconsideration and further prosecution on the merits of claims in Group II is respectfully requested.

Respectfully submitted,

08/08/2003

Date

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